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INFO RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

UNCLAS SECTION 01 OF 02 LUSAKA 000316

SIPDIS

SENSITIVE

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TAGS: PGOV PHUM ZA

SUBJECT: ZAM IS NOT ZIM: REPORTS OF GRZ PROPERTY DEMOLITION
EXAGGERATED

Ref: Lusaka 247

¶1. (SBU) Summary: Following advance warnings made by the Zambian Minister of Local Government and Housing in late February, on March 11, the GRZ razed approximately 100 partially completed, unoccupied structures in the Kalikiliki section of Lusaka. The Zambia Land Alliance, an alliance of civil society groups dedicated to land reform, has reserved judgment on the government's decision to destroy the illegal Kalikiliki structures. Although some media reports have compared the GRZ action to Zimbabwe's "Operation Restore Order," which left thousands homeless in 2005, these comparisons are unfounded. End Summary.

GRZ Destroys Unoccupied Structures

¶2. (SBU) On March 11, the GRZ razed approximately 100 partially completed, unoccupied structures in the low-income, high-density Kalikiliki section of Lusaka. Media reports indicate that the government also destroyed squatter shacks in Solwezi in North Western Province. PolOff visited Kalikiliki on March 14 and found the area to be calm and orderly. Residents reported that government construction crews, escorted by police, arrived in the area late on the evening of March 10 and tore down the cinder block structures using sledge hammers. The operation took approximately two hours and the residents did not confront the work crews or protest their actions.

¶3. (SBU) Many of the "owners" of the destroyed structures were likely not aware of the government action until the following day, since none of the buildings were occupied. When PolOff visited the area, the approximately two-acre tract on which the structures had stood was completely cleared - local residents had carted off the rubble for use in other construction projects, also probably illegal. Residents said that the land had recently been sold and they speculated that the government destroyed the structures in response to complaints from the new owner.

¶4. (SBU) The GRZ's actions were not without warning. On February 20, Minister of Local Government and Housing Sylvia Masebo announced the plan to destroy the Kalikiliki structures after touring the area. Masebo noted that the people building on the land could produce no documents to prove ownership. "A group of people have been selling land and instructing clients to construct their homes in the shortest possible time," Masebo said, adding "all these structures are going to be demolished and this is not a joke." Though warned, many Kalikiliki residents were surprised that the government acted on its plan. The GRZ often threatens to take action against illegal squatters, but rarely follows through. The destruction of the Kalikiliki structures has produced anxiety throughout Lusaka's compounds, which are home to many properties of similarly dubious provenance.

GRZ Motivated by Political Considerations

¶ 15. (SBU) Although complaints from the new land owner may have prompted the GRZ to clear the Kalikiliki property, many believe that the government was also motivated by political considerations. Most of Zambia's illegal structures are located in urban areas such as Kalikiliki, which are also strongholds of the opposition Patriotic Front (PF) party. The GRZ may be trying to assert its authority in these areas by cracking down on long-overlooked property law violations.

¶ 16. (SBU) At the same time it asserts its control, the GRZ may be acting to show its determination to fight corruption following the revelation of widespread abuses at the Ministry of Lands (Reftel). Much of the illegal development of land in Zambia can be attributed to local supporters of the ruling Movement for Multi-party Democracy (MMD), who divide and sell parcels of land that the MMD awards to them in return for their political support. In many case, these corrupt MMD supporters sell the same tract of land multiple times to unsuspecting and uneducated buyers (though it is not certain that the Kalikiliki builders had even a "good faith" claim to their property). By enforcing the law, the GRZ may be seeking to put an end to this practice.

MMD and PF Agree? Pigs Flying Over Lusaka?

¶ 17. (SBU) Ironically, the leadership of the opposition Patriotic Front (PF) party may also be quietly pushing the government to clear illegally occupied land, although it is mainly PF supporters who will be affected. Susan Nakazwe, the Mayor of Lusaka and a PF member, accompanied Masebo on her February 20 tour of Kalikiliki, lending her tacit support to the plan to raze the structures. In addition, Patriotic Front MP from Matero Faustina Sinyangwe praised Masebo in a speech to Parliament, noting the need to curb land abuses. Finally, PF president Michael Sata, never one to miss an

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opportunity to criticize the ruling party, has been conspicuously silent on this issue. Mulima Akapelwa from the Catholic Center for Justice, Development and Peace (CCJDP), speculated to PolOff that Sata may privately support the GRZ efforts to clear illegally occupied land because that would allow PF-dominated local councils to regain control of the properties.

Civil Society: No Rush to Judgment

¶ 18. (SBU) The CCJDP is a member of the Zambia Land Alliance (ZLA), which advocates for land reform stressing the need to provide the poor with access to land. The ZLA has not yet formed a position on the destruction of illegal properties like the ones in Kalikiliki, Akapelwa said. She explained the dilemma, noting that, although the ZLA believes that land should be accessible to all, it cannot condone squatters or fault the government for enforcing the law. On the other hand, the ZLA believes that the MMD is responsible for creating the problem of illegal development and should be held accountable for selling properties and development rights without clear title. The CCJDP does not advocate for people who illegally occupy land, Akapelwa stressed. Several years ago the CCJDP was itself victimized by squatters who had formed what amounted to a "township" on CCJDP property before being evicted by government.

Comment

¶ 19. (SBU) It is unclear whether the incident at Kalikiliki is a one-off event or the beginning of a sustained campaign by the government to rein in abuses of Zambia's property laws and establish clear titles to land. There is no evidence that the GRZ has adopted a new policy with regard to illegal settlements, and so far the GRZ has taken no action on Masebo's pledge to remove illegal vendors from Lusaka's improvised downtown markets. It appears that the government's intentions are good, even if its actions may have been prompted by political considerations and appear heavy-handed, as reported in the international media. Beyond the considerable challenge of establishing clear titles to properties following decades of widespread abuse and corruption in the Ministry of Lands,

the GRZ may face an even greater challenge in providing housing to Zambia's millions of poor who are migrating to urban centers in great numbers. To alleviate the burden on cities and stem the growing housing crisis, the GRZ will need to do a better job of creating economic opportunity and providing electricity and other government services to Zambia's rural areas. End Comment.

MARTINEZ